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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/998,507	12/26/1997	ALBERT BAUER	582/9-1477	2665
28147	7590	07/18/2007		
WILLIAM J. SAPONE COLEMAN SUDOL SAPONE P.C. 714 COLORADO AVENUE BRIDGE PORT, CT 06605			EXAMINER FORD, JOHN K	
			ART UNIT 3744	PAPER NUMBER
			MAIL DATE 07/18/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

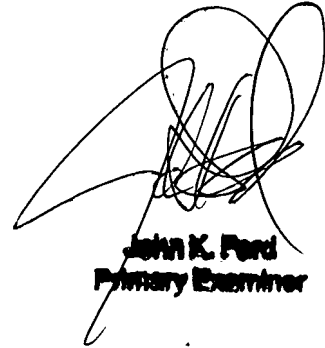
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The "Reply Brief" filed 03/20/2007 (responding to the examiner's letter of 03/12/2007) has been entered and considered. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.



**John K. Ford**  
**Primary Examiner**

Noted

Docket No.: 582/9-1477

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant: Albert BAUER                      Conf. no. 2665  
Serial No.: 08/998,507                      Group Art Unit: 3743  
Filed: December 26, 1997                      Examiner: John Ford  
For: AIR CONDITIONING APPARATUS  
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Commissioner for Patents  
Washington, DC 20231

**REPLY BRIEF**

Sir:

This is a Reply Brief responsive to the Supplemental Examiners' Answer mailed on January 9, 2007. Pursuant to 37 CFR 41.50(a)(2)(ii), the appellant hereby maintains the present appeal in the above-referenced matter.

While the examiner failed to identify the Miscellaneous Statement submitted on January 9, 2007 as a Supplemental Examiner's Answer, as a written response to the Boards' remand, under 37 CFR 41.50(a)(2), it must be taken as such.

**I. THE REMAND**

The Board remanded to the examiner with two options, the Examiner choosing the second option, to identify structure from appellant's disclosure for performing the function of the "means for regulating. ." recitation, and where it is found in the specification. Additionally, the Board required the examiner to re-explain Johannsen, referencing structure alleged to correspond to the structure the examiner identifies from appellant's disclosure.

In the remand, the Board stated: "Appellant has not pointed to any disclosure that room temperature is varied in correspondence to the selected room temperature, much